

In the United States District Court  
For the Eastern District of Tennessee  
Knoxville, TN

Questionnaire for prisoners proceeding  
Pro Se Under 42 U.S.C. § 1983

**FILED**

JAN 03 2011

Jerry Kay Lowe Jr.

#32671-074

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

Plaintiff(s)

Civil Action No. 3:11-CV-2

Varlan/Guyton

VS.

Sheriff Jim ~~Berrong~~ Berrong

Deputy Justin Beckman

Blount County Jail

Defendant(s)

I. General Information

1. Full Name and prison number(s): Jerry Kay Lowe Jr. # 32671-074
2. Name and Location of prison where now Confined: Blount County Jail  
Maryville, TN 37804
3. Sentence you are now serving (how long?): Currently Unsented.

II Previous Lawsuits

4. Other than the appeal of your Conviction or Sentence, have you ever submitted a lawsuit for filing in a federal or state court dealing with the Same facts involved in this lawsuit or otherwise related to your imprisonment? ☐ yes ☒ No
5. If answer is yes List Lawsuit below N/A None.

III. Exhaustion of Administrative Remedies

6. Where are you now Confined? Blount County Jail, Maryville, TN 37804
- (A) How long have you been at this institution? approximately 3 months
- (B) Does this institution have a grievance procedure? ☒ yes ☐ no.
- (C) If your answer to 6(B) is yes, answer the following:
  - (i) Did you present your complain herein to the institution as a grievance? ☒ yes ☐ no.

(2.) what was the result? Unsatisfactory result and no resolution to problem. See additional pages attached titled Grievance form.

(D.) if your answer to question (B) is "No" explain why not: N/A

(E.) what, if anything, have you done to bring your Complaint to the attention of prison officials? Give dates and places and the names of persons talked to: Spoke with officer Lambert and officer Gurner on 10/7/10 in regards to this incident. Filed grievance and appeal to Jail officials.

(7.) In what other institutions have you been confined? Give dates and Location - exit and entry: Tennessee State prison System from 1995 to 2008.

## VI Parties to this Lawsuit

(8.) List the name and address of each plaintiff in this Lawsuit.

Jerry Kay Lowe Jr - 920 E. Lamar Alexander Pkwy, Maryville, TN 37804.

(9.) List the full name, the official position, and the place of employment of each defendant in this Lawsuit.

Jim Barone, Sheriff of Blount County, Blount County Sheriff's Department

Justin Beckman, Deputy Sheriff-Tailer, Blount County Sheriff's Department

## V. Statement of Claim

10.)

where did the incident you are complaining about occur?

Blount County Jail - Maryville, TN 37804

when do you allege this incident took place?

At approximately 11:45 AM on 10/7/10

what happened? Continued on next page...

## Statement of claim 8 (continued)

At approximately 11:45 Am on 10/7/10, myself, Jerry Kay Lowe Jr., inmate Douglas Morrissey, and inmate Jake Townsend were in D pod cell 527 awaiting Lunch meal when officer Justin Beckman began to argue with inmate Jake Townsend. As inmate Morrissey and myself approached the door to receive our lunches, officer Beckman then said something to inmate Morrissey and they began to argue. After they were done arguing, officer Beckman then turned to myself and said "If you have a problem with it, we will go to the bull pen and I will kick your ass." officer Gutter was present during this conversation and witnessed officer Beckman's threat toward me, as did inmate Morrissey and inmate Townsend. Institutional grievance form also confirms that officer Beckman admits to threats he made toward me per Lt. Gregory's report. As a result of this incident, I have had to sign up to see mental health specialists due to not being able to sleep and paranoia. I fear for my safety in this institution due to officers threats and Lt. Gregory's insufficient punishment or lack thereof of officer Beckman. Article 8 of the United States Constitution guarantees me the right to be free of cruel and unusual punishment inflicted and I have suffered from this incident mentally and continue to do so. Have requested numerous times for mental health treatment at this jail and it has been non existent.

Jerry Kay Lowe, Jr.  
Blount County Jail  
920 E. Lamar Alexander Pkwy  
Maryville, TN 37804



11.) List the name and address of every person you believe was a witness to the incident(s) you complain about, briefly stating what you believe each person knows from having seen or heard what happened.

### Witnesses

- A.) Deputy officer Justin Beckman - Blount County Sheriff's Dept., 920 E. Lamar Alexander Pkwy, Maryville, TN 37804 - This officer has admitted to LT. Keith Gregory that he did indeed threaten me during an investigation of grievance #000022 per LT. Gregory's report and response.
- B.) Deputy officer Gutter (first name unknown due to officers refusing to give this information) - Blount County Sheriff's Dept., 920 E. Lamar Alexander Pkwy, Maryville, TN 37804 - This officer was present along with officer Beckman when he made these threats.
- C.) Inmate Douglas Morrissey - Blount County Jail, 920 E. Lamar Alexander Pkwy, Maryville, TN 37804 - was present during the whole incident and witnessed officer Beckman's threats toward me. He was in an argument with this officer just before the threats.
- D.) Officer Keith Gregory - Blount County Sheriff's Dept., 920 E. Lamar Alexander Pkwy, Maryville, TN 37804. - This officer is a Lieutenant of Blount County Jail and was responsible for investigating the grievance filed in this incident (see attached Grievance #000022). He was a witness to officer Justin Beckman admitting he did in fact threaten me as he investigated the grievance.

## Relief :

12.) Briefly state exactly you want the Court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do Not make any legal arguments and do not cite any cases or statutes.

A.) Procedures put in place at Blount County Jail to address these issues before they happen - training for officers to communicate civilly with inmates.

B.) Court ordered mental health treatment to be paid for by Blount County Jail for any and all mental disorders that have resulted from this incident. Currently suffering from several symptoms of serious mental disorders that were not present before incident. Have been refused mental health treatment thus far.

C.) Relief of duties of this officer from Blount County Sheriff's Department so as to hinder any further incidents of this kind and abuse of position by officer Justin Beckman.

D.) Damages in the Amount of \$1,000,000.<sup>00</sup> dollars, and any and all Court costs and/or litigation fees incurred during this Court proceeding and any costs incurred while investigating this case.

E.) Any and all relief the Court finds additionally appropriate to further hinder this type of behavior by authority figures of Blount County Jail.

13.) you may attach additional pages if you wish to make any legal argument. However, legal arguments are Not required in order to obtain relief under 42 USC § 1983. If the Court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded any opportunity to respond thereto.

14.) Keep in mind that once your lawsuit is filed, the court will require you to diligently prosecute it. That means you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. You will receive no further instructions from the court telling you what to do or how to do it. It is your responsibility and yours alone to prosecute your own case. If you fail to prosecute your case, it will be dismissed under rule 41 of the federal rules of civil procedure.

Signed this 21st day of October, 2010

Jerry Kay Lowe, Jr.  
Respectfully Submitted,

Jerry Kay Lowe, Jr.

Jerry Kay Lowe Jr.  
# 32671-074  
Blount County Jail  
920. E. Lamar Alexander Parkway  
Maryville, TN 37804